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REMARKS

Claims 1-27 of the application stand rejected. Claims 1, 2, 4, 7, 11, 14, 17, 20, 22, 24 and 26 have been amended herein to more clearly define the scope of the presently claimed invention. Applicants respectfully requests reconsideration of pending Claims 1-27 in light of the amendments and remarks herein.

35 U.S.C. §101

Claims 20, 22, 24 and 26 stand rejected under 35 U.S.C. §101 because the Examiner suggests that the invention is directed to non-statutory subject matter. Specifically, the Examiner states that these independent claims are directed to software that is not implemented on a computer readable storage medium. Applicants respectfully traverse the Examiner's rejection.

Independent Claims 20, 22, 24 and 26 are each directed to "A computer-readable medium encoded with a program". Applicants are unclear as to the reason for the Examiner's rejection of this language, other than the fact that it does not include the term "storage". The lack of the term storage in this particular instance does not in any way render the preamble non-statutory because it clearly contemplates a *medium encoded with a program*, rather than an abstract data structure, which appears to be what the Examiner is implying. Applicants therefore strongly maintain that the claims are directed to statutory subject matter as-is. In an attempt to move forward with the substantive examination of the case, however, Applicants have amended Claims 20, 22, 24 and 26 to include the term "storage". Applicants therefore respectfully requests the Examiner to withdraw the 35 U.S.C. §101 rejection to Claims 20, 22, 24 and 26.

35 U.S.C. §102

Claims 1-27 stand rejected under 35 U.S.C. §102(e) as anticipated by Wolton et al., U.S. Publication No. 2004/0030741 ("Wolton"). The Examiner submits that Wolton discloses all the elements in these claims. Applicants respectfully traverse the Examiner's rejection. In response to Applicants' previously submitted arguments, the Examiner essentially states that a key element is not recited in the claims. More

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specifically, although Applicants highlighted the fact that the claimed agents are capable of communicating with devices running on different platforms and using different protocols, the Examiner submits that this limitation is not recited in the claims. Applicants respectfully submit that independent Claims 1, 4, 7, 11, 14, 17, 20, 22, 24 and 26, as amended herein, includes this limitation not disclosed in Wolton.

The Examiner again points to paragraph 790 to show that “Wolton point[s] to a need format the data before the agent manipulates the gathered information.” Applicants’ respectfully traverse the Examiner’s rejection. Applicants respectfully submit that (without conceding that Wolton “points to” such a need) in order for Wolton to be a proper reference under 35 U.S. C. 102, it has to disclose this element, not merely “point to a need”. Additionally, the Examiner suggests that “Wolton discloses a ‘results formatting aspect of the invention’ (paragraph 62-67) wherein the agent modifies the collected information before sending.” First and foremost, Applicants strongly disagree that this section of Wolton in fact discloses such an element. As previously highlighted to the Examiner, paragraphs 62-67 of Wolton make no reference to “the agent modifies the collected information before sending”, as the Examiner suggests. Instead, paragraphs 62-67 read as follows:

“[0062] In the results formatting aspect of the invention, the agent ranks collected information, documents, images, files, and other results according to the:
[0063] (1) natural order in which the search discovery occurred, or alternatively results can be ranked according
[0064] (2) to search term matches of True, False, and Unknown, or
[0065] (3) according to discovered numbers of matches in the web pages based on word or
[0066] (4) numeric count metrics, or
[0067] (5) according to recency of changes detected in web pages previously visited, for example.”

Wolton, paragraph 62-67.

This section merely describes how an agent in Wolton “ranks” the collected information. Changing an order of the information simply *cannot* be expanded to formatting the information. Additionally, Applicants respectfully disagree that this section of Wolton has any bearing on the claimed elements. The agents as claimed herein send and receive information according to a predefined syntax. The syntax herein is essentially “a uniform schema or convention” (Specification, Page 5-6, Paragraph 19).

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Ranking information bears no resemblance whatsoever to “formatted information”, i.e., information formatted according to a schema or convention.

Without conceding that Wolton describes any other elements of the claimed invention, Applicants respectfully submit that Wolton cannot render the present claims unpatentable because it does not disclose at least one element of the independent claims, as described above. Applicants therefore respectfully submit that Wolton does not anticipate Claims 1-27 under 35 U.S.C. §102(e) and respectfully request the Examiner to withdraw this rejection to these claims.

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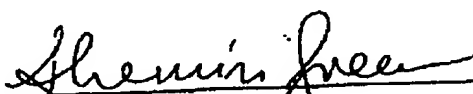
CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1-27 are in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (714) 669-1261.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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